

R E M A R K S

A. INTRODUCTION

Claims 1-36 are pending and rejected.

Upon entry of this Amendment:

- Claims 2-5, 7-10, 14-16, 18-20, and 37-52 will be pending
- Claims 2, 3, 7, 8, 14, 16, 18, and 20 will be amended
- Claims 37-52 will be added
- Claims 1, 6, 11-13, 17, and 21-36 will be cancelled without prejudice
- Claims 2 and 7 will be the only independent claims

B. CLAIMS 2 AND 7 ARE ALLOWABLE

Applicants are grateful for the Examiner's acknowledgment that Claims 2 and 7 contain allowable subject matter.

Each of Claims 2 and 7 has been amended to be an independent claim and to incorporate explicitly all of the features of the respective independent base Claims 1 and 6 (now cancelled) that were previously incorporated by reference. Accordingly, this Amendment does not alter the scope of Claims 2 and 7.

C. NON-STATUTORY DOUBLE PATENTING REJECTION

Claims 1-36 stand "rejected under the judicially created doctrine of obviousness-type double patenting" as being unpatentable over specified claims of U.S. Patent No. 6,887,153, U.S. Patent No. 6,582,304 and U.S. Patent No. 6,267,670.

While we do not necessarily agree with this rejection, a terminal disclaimer is filed concurrently herewith solely to expedite the prosecution of the present application. Accordingly, the non-statutory double patenting rejection of Claims 1-36 is moot.

D. PROVISIONAL NON-STATUTORY DOUBLE PATENTING REJECTION

We are grateful to the Examiner for pointing out the potential conflict with claims of co-pending Application No. 10/457101, currently allowed pending issuance.

E. SECTION 102(E) REJECTION

Claims 11-12 and 21-24 stand rejected under 35 U.S.C. 102(e) as being anticipated by Roberts (U.S. Patent No. 5,772,510). We respectfully traverse the Examiner's Section 102(e) rejection.

However, Claims 11-12 and 21-24 have been cancelled without prejudice by this Amendment.

F. SECTION 103(A) REJECTIONS

Claims 1, 3-6, 8-12, 21-36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts.

Claims 13-20 stand rejected as being unpatentable over Roberts and in further view of Herman "Auchan cashes in on Lottery", Houston Post.

We respectfully traverse the Examiner's Section 103(a) rejection.

1. Claims 1, 6, 11-13, 17, and 21-36 Now Cancelled

Although Applicants do not agree with the grounds for rejection, Claims 1, 6, 11-13, 17, and 21-36 have been cancelled without prejudice by this Amendment.

Applicants reserve the right to pursue, in one or more continuing applications, the subject matter of Claims 1, 6, 11-13, 17, and 21-36 as pending at any time prior to this Amendment.

2. Claims 3-5, 8-10, 14-16, and 18-20 Depend from Allowed Claims

As indicated by the Examiner, Claims 2 and 7 contain allowable subject matter. Although Applicants do not agree with the grounds for rejection, with this Amendment each of Claims 3-5, 8-10, 14-16, and 18-20 now depends (directly or indirectly) from one of allowable Claims 2 or 7. For at least this reason, Applicants respectfully request reconsideration and allowance of Claims 3-5, 8-10, 14-16, and 18-20.

Applicants reserve the right to pursue, in one or more continuing applications, the subject matter of Claims 3-5, 8-10, 14-16, and 18-20 as pending at any time prior to this Amendment.

G. ADDITIONAL COMMENTS

Our silence with respect to the Examiner's other various assertions not explicitly addressed in this paper, including assertions of what the cited reference(s) teach or suggest, the Examiner's interpretation of claimed subject matter or the Specification, the Examiner's assertion as to what is admitted prior art, or the propriety of any asserted combination(s) of teachings, is not to be understood as agreement with the Examiner. Applicants have elected to cancel

rejected claims solely for business reasons and in order to expedite allowance of the present application in light of subject matter found allowable. Accordingly, Applicants do not address all of the Examiner's assertions at this time. Also, the absence of arguments for patentability other than those presented in this paper should not be construed as either a disclaimer of such arguments or as an indication that such arguments are not believed to be meritorious.

H. NEWLY-ADDED CLAIMS 37-52 ARE PATENTABLE OVER THE CITED REFERENCES

Each of new Claims 37-52 depends (directly or indirectly) from one of allowed Claims 2 or 7. No new matter has been added.

Accordingly, Applicants respectfully submit that new Claims 37-52 contain allowable subject matter.

I. PETITION FOR EXTENSION OF TIME TO RESPOND & AUTHORIZATION TO CHARGE APPROPRIATE FEES

Please grant a petition for any extension of time required to make this Response timely. Please also charge any other appropriate fees set forth in 37 C.F.R. §§ 1.16 – 1.18 for this paper and for any accompanying papers to:

Deposit Account: 50-0271

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Please credit any overpayment to the same account.

J. CONCLUSION

It is submitted that all of the claims are in condition for allowance. The Examiner's consideration is respectfully requested.

If the Examiner has any questions regarding this paper or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

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Date

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